The Aun.

### ODELL'S TAX BILLS TO PASS.

LIQUOR LICENSES ALSO TO BE RAISED FIFTY PER CENT.

Gov. Odell Feels Compelled to Ask a Conference of Republican Leaders-Bi Taxing Real Estate Conveyances Abandoned-Mortgage Tax Expected to Raise \$6,000,000-Total of \$9,000, 000 to Go Into the State Treasury.

ALBANY, March 10 .- Gov. Odell felt himself called upon to-right to ask the Republican leaders to confer with him on the taxation problem. The relations between the Governor and the leaders of late has not been cordial. It was understood that he expected to get his tax measures through the Legislature practically unaided. His call for help was regarded with equanimity by the leaders whom he has almost ignore for several weeks.

The conference lasted until after midnight The leaders finally agreed to abandon the Governor's bill taxing conveyances of real estate. They adopted as a party measure the Stevens bill taxing real estate bequests to lineal descendants. This will raise annually about \$500,000. The caucus also adopted the Mortgage Tax bill, as originally introduced, imposing a four-mill tax annually. The State is to take half of the

The Governor estimates that this will raise for the State \$6,000,000 each year. as it will include the taxation of mortgages of banks and insurance companies. only exemptions will be mortgages held by charitable, religious and educational institutions.

The caucus also adopted as a party measure a bill to be introduced increasing the liquor tax license one-half throughout the State of which increase the State is to get one half, or about \$3,000,000 a year. This means the liquor tax in New York city will be increased from \$800 to \$1,200 and proportionately throughout the State.

According to the Governor's figures the increased revenues from indirect sources each year, which will go into the State Treasury, will amount to \$12,000,000. Under the present liquor tax \$2,000,000 is raised annually, of which the State gets one-third and the cities or towns two-thirds.

The Governor says direct taxation could be abolished if only \$5,500,000 additional were raised each year from indirect taxation. He said to-night that more than this needed revenue is provided for in order to take care of the payment from indirect sources of the canal debt under an appropriation of \$101,000,000 to build a thousand ton barge canal. He says in order to build the canal all it will be necessary to raise each year is \$4,020,000 and by his new arrangement he will have over \$5,000,000 surplus each year in which to pay out the \$4,020,000 from indirect sources of taxation.

The Governor says that all of the Republican Senators, except Senator Hill of Buffalo, agreed to the decision of the conference. Senator White (Rep.,) is too ill to attend this session, giving the Republicans only the necessary 26 votes on the Liquor Tax increase. Gov. Odell stated that Senator Hill asked to be permitted to consider the matter until to-morrow morning. The Governor thinks that the Senator will be in line with the other Republican Senators before the day s over The State will get one-half of the increased excise revenues, the present division being retained on the original tax. Heretcfore the Mortgage Tax bill ot taxed mortgages held by banks

At the invitation of Gov. Odell the Republican Senators, Lieut.-Gov. Higgins, Chairman George W. Dunn of the Republica State Committee, State Comptroller Nathan L. Miller, Speaker Nixon, Republican Leader James T. Rogers of the Assembly, Assemblyman Burnett and Chairman Dickinson of the Assembly Taxation Committee attended the conference. The necessity for the conference was not realized by Gov. Odell until early last week. Without consultation with Col. Dunn, or the other real leaders in the Republican State organization, he has been endeavoring almos single-handed to shape party legislation so as to carry out his message recommendstions, consulting with only a few members of the Legislature, except Speaker Nixon and three Republican insurgent Senators, Edg of T. Brackett of Saratoga, N. A. Elsberg of New York city, and Elon R. Brown Watertown.

have been Gov. Odell's main advisers thus far this session. They have been able to reach the Governor in his private room in the Executive Chamber when no members of the State committee or of the Legilature could. They have had a free entrée to the Governor at all times during the day or night, whether at the Capitol or at the Executive Mansion.

Naturally, the members of the Legislatu many of whom have seen years of service resented the Governor's attitude. Consequently the Governor's legislation has not progressed as rapidly as in former years. Then, too, the Governor has been in close communication with Mayor Low and Police Commissioner Greene of New York city. Ignoring the Legislature Gov. Odell told Low and Commissioner Greene be could give them any legislation they ernor several times and made known their name For some reason things did not

happen as per mbeduie Mayor Low is very much interested in the left reorganizing the Fire Department lie and Commissioner Greene are more than interested in increasing the member-cial of the New York city police force. dust to chow Commissioner Greens when he was bore last work that the Senate mas ettil a delitaration body, they bent bis Proper tell and sent it tuck to enet in the title Committee M course M tier tricil could central the antronge which the fire and police tills provide, as well as the paternage provided in smaller New 'or's descriptions tills, he would be thesty

favor time summures fol Dunt, the chairman of the Republic cas finte formatter, has not know a feecount spiler at the summittee chamber this first visit is sense time was into inettheraph fiel State fine term to Atlanta logistature. The facespeer asked find Italia why it was to emphis't do asything with the Logislature, find Dutes simply clorings of the shoulders. Then they and an old bear-to-inger talk. Things were called by their real names. Gov. Died.

said he had the greatest desire to do anything within reason to get the views of Senator Platt and the chairman of the Republican State Committee. He threw up both hands and said he was tired of the situation and he wished he had the

lature off his hands. By holding up the appointments of Senator Platt's friends, it is declared that the Governor hoped to drive the Senators who support the United States Senator into line. Involved are the reappointment of Railroad Commissioner Baker and Superintendent of Elections McCullagh. The Governor failed to get the whip hand on the Legislature.

There has been no open intimation of a hostile attitude between Senator Platt and Gov. Odell over pending legislation, but judging from the way bills that the Governor is especially desirous of having passed have been treated has caused those wanted to read the writing on the wall to see unmistakable signs that Gov. Odell could and would be thwarted in every move until he had consulted with Senator

Before the Governor went to Washington a conference of the Republican Senators was held. At that time it was understood the indirect tax revenue measures through which the Governor hopes to abolish all direct taxation had been agreed to and the day the Governor went to Washington he caused to be made public outlines of the

The Conveyance Tax bill was introduced It was reported from committee amended, sent back to committee, amended and reported, and is still as far off from passage as the day it was introduced. The Mortgage Tax bill has not been drawn, but its future undoubtedly would be similar to that of the Conveyance Tax measure.

To-night's conference was the result of this talk. For several days Gov. Odell has been intimating to his new personal and political friends that he thought the session of the Legislature ought to end

#### CANAL IMPROVEMENT DELAY. Bill Reported for a Commission to Confer

With the Federal Government. ALBANY, March 10 .- Advocates of canal improvement were much surprised when they learned late this afternoon that the Senate Finance Committee, by a party vote, had decided to report an anti-improvement canal bill favorably. The Republican members of the Finance Committee are Senators Malby of St. Lawrence, E. R. Brown of Watertown, Stewart of Ithaca, Alids of Chenango, Sherwood of Steuben, W. L.

Brown of Otsego, Stevens of Wyoming and Raines of Ontario. The bill provides for the appointment of commission by the Governor to negotiate with and inquire whether the Federal Government will undertake the construction of a deep waterway from Lake Erie to the Hudson River, and if so, upon what terms such work can be accomplished.

While it is true that every one of the Republican members of the Finance Committee is opposed to canal improvement their action in reporting the Lewis bill caused comment in view of the fact that their party and Gov. Odell are piedged to canal improvement. Senator Lewis even goes so far as to say that he expects his bill will be the only canal legislation accom-

plished this session.

On the other hand, after several conferences, the advocates of the 1,000-ton barge canal improvement have reached what they think will be the final shape in which the bill will be present for passage. Senator George A. Davis, chairman of the Senate Canals Committee, to-day reported the bill to be reprinted and recommitted.

It has been amended to provide for an appropriation of \$101,000,000 instead of \$81,-000,000 as originally provided.

The demands of the Champlain canal people have been granted and that waterway is also to be enlarged.

The amended bill has not been acted upon by the committee, but it is the expectation of the canal lobby at work here that the bill will be reported favorably.

#### RUNAWAYS ON FIFTH AVENUE. Stage Coach Hits an Auto-Carriage

the Sidewalk-Man Run Down. A Fifth avenue stage coach driven by Thomas Mulholland ran into an automobile driven by George Roquefort at Twentyfifth street and Fifth avenue yesterday afternoon. The pole of the stage broke and the horses started to run, pulling Mulholland to the ground.

A woman who sat on top of the coach grabbed the reins and held the horses until wo policemen relieved her. Mrs. T. H. Lawrence of 55 East Ninety-third street

Lawrence of 55 East Ninety-third street tried to climb off the coach, but fell in doing so and was bruised. A New York Hospital ambulance surgeon attended to Mrs. Lawence and the driver. They were taken to their homes.

The coach of Mrs. Frederick T. Van Beuren of 21 West Fourteenth street was standing at Thirty-fourth street and Fifth avenue yesterday afternoon, while Mrs. Van Beuren was at her dressinaker's. The horses became frightened at a grocery wagon and ran onto the sidewalk in front of the Waidorf-Astoria. The coach bumped into the iron pillars of the driveway to the hotel and was injured.

Alexander Fisc of 292 East Fourth street was crossing Fifth avenue at Twenty-third street yesterday afternoon when he was knocked down by a coach on which were a driver and footman. In the carriage was a woman who leaned out of the window and whispered to the coachman. He whispeed up his horses and wouldn't stop when Policeman licented sailed to him.

Fisk was taken to the New York Hospital with a broken shoulder.

# BRIBERY IN RHODE ISLAND.

PROPERRY. R. I. March 10 .- box tiarrin sont a message to the Legislature to day asking for the appointment of a

to-day asking for the appointment of a communicative who will have person to our pay agente in detecting and preventing levilory at electricise. In this areas go the thirty areas go the thirty areas go the thirty of the present legislature held their sense thereigh british;

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#### RIOT AND FIGHT ON ELEVATED

HADWICK, THE EX-YALE GUARD. MIXES IN LIVELY ROW.

Gets Gun Away From One of a Pair o Young Men Who Fought Three Sleuths and a Train Crew to a Standstill-One Carted Off in Truck Starts Fight Anew.

Two exuberant young men and som rainhands got into a fight on a southbound Sixth avenue elevated train yesterday afternoon. In the course of the row one of the young men drew a revolver four Yale football elevens, who is now one of District Attorney Jerome's staff took it away from him.

As soon as Chadwick got the gun he ran to the front platform of the rear car, in which the trouble had started, and took out the cartridges. As the train pulled into the Bleecker street station three Central Office detectives, who were on the other side of the tracks, saw the row and ran across the tracks to the train. Seeing Chadwick with the revolver and not knowing who he was the three pulled their guns him. He explained and the sleuths went after the two fighters. They were locked up at Police Headquarters after lively row.

The two said they were Francis P. J Leahy of 108 West 139th street and James Craft of 82 West 106th street. There is no such address as that which Craft gave Each said he was a clerk and only 18 years old, although the police think they are both older. As to the ability of each to fight the police have abundant evidence.

According to Amos Angus, one of the assengers in the rear car, the pair got on the train at Twenty-eighth street, and went into the rear car. They promptly began to use language which made several

Several men passengers protested, but the only result was to make their language more offensive. The trainhands, however did not interfere until the train reached Bleecker street. Then three or four of the guards called the station guard, who brought a heavy club. Then the railroad men started in to put the two off the train One of the young men seized the club and with that to help him drove the trainmen to the door.

The battle at the door lasted for nearly ten minutes. Then Mr. Chadwick, who had been at the West Side police court and was on the second car ahead, got off and walked to the rear car. He got there just in time to see the fight at its heigh and to see Leahy draw a revolver and poin it at the trainmen.

Chadwick, using his shoulders as if he

were going through a Harvard rush line, went graight through the crowd for the man with the gun. He got Leahy by the neck with one arm and wrenched the re-volver from him. Then he plunged back to the platform on the car and took the cart-

ridges from the weapon. The two young men kept right on mixing it up with the trainmen. Chadwick pointed the empty revolver at them to see if that would have any effect and three Central Office men, who were on the platform of the northbound track, saw him. They were John J. Collins, Frank Price and Hubert A. Conneally.

The three ran across to the train. Each

drew his revolver and covered Chadwick. "Drop that gun," they yelled.

"There's nothing in it," said Chadwick.
"I'm from the District Attorney's office,

and I just got this revolver from one of The detectives got up on the train and succeeded in dragging Leahy and Craft to the station platform. They fought like Indians and succeeded in breaking away from the detectives after an exchange of

Craft got away and ran up West Broad Craft got away and ran up West Broadway, but turned around just in time to see the three detectives catch Leahy at the foot of the stairs. Then he turned back and, rushing up to the group, smashed Detective Collins in the mouth, knocking him to the ground The other two detectives drew their clubs and sailed into the pair with a vengeance, but they got as good as they gave, although the two young scrappers had only their fists as weapons.

Hundreds of folks gathered around the fighters and were yelling like mad without knowing what they were yelling for. The fight was at its very best when Collins got up and hit Craft a blow that sent him to the ground.

Leahy at the same time caught Collins on the ear and sent him to the street again. He didn't stay there very long, however, and the five men fought until numbers told and Leahy, his face bleeding and his head cut in half a dozen places, went down and, apparently, "out."

The three detectives then had easy work with Craft. A truck came along at that moment, and the detectives picked Leaby up and put him on it. Conneally took Craft to Police Headquarters on foot, while the other two got on the truck with Leahy.

to Police Readquarters on foot, while the other two got on the truck with Leahy. Comnaily got his man to Headquarters without any trouble, but just as the truck which carried Leahy reached Multerry street Leahy jumped up, knocked off Price and Collins and fought all over the street with them for ten minutes, while the big crowd which had followed kept yelling with excitement.

excitement.

When Leahy was finally dragged into the Detective Bureau he singled out Price and yelled:

"When I get out I'll murder you. You and your bunch have dragged off my diamond pin and have got some money out of my leans, but I'll fix you all right.

The detectives found that he had a permit

peace, but I'll fis you all right.

The detectives found that he had a personnel by Deputy Commissioner Piper lowing him to energy a resolver that Langian said he'd try to have the performanced. They also took from Loshy diamond ring he wore which he said a worth \$1.000.

diamental ring he were which he said was worth \$1.000.

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### DEPEW TIP WORTH \$1,500,000.

to Prospector Who Found a Rich Mine. Los ANGELES, Cal., March 10.-Several capitalists and railroad men from New York city and Rochester have arrived here

Senator's Friends Let In on "Grub Stake"

to close the sale of the Bagdad Mine on Moiave Desert to a Los Angeles syndicate for \$1,500,000

The Bagdad mine, which many believe to be the richest mining property in southern California, came into existence as the result of an after-dinner speech by Senator Chauncey M. Depew at a business men's banquet in Rochester four years ago. Senator Depew told of an old California prospector, who had importuned him for a "grub stake to enable him to prospect a claim on Mojave

Before the party broke up a number of those present formed a pool to send the prospector on a six months' trip. The original syndicate consisted of Senator Depew, E. Van Etten, Second Vice-President of the New York Central; J. E. Beckley. R. E. Chase, J. H. Steadman, E. F. Brewster, E. P. Allen, T. J. Devine and Josiah Austice The result was the development of the Bagdad mine, the sale of which will be commemorated here to-night by a dinner at which all except three of the eight men

EVANS MAY VISIT GERMANY Report That the Admiral Will Take Hi

will be present.

Fleet on a Mission to the Emperor WASHINGTON, March 10.-Rear Admiral Robley D. Evans, Commander-in-Chief of the Asiatic fleet, who is now in Hong Kong with the battleship Kentucky, his flagship will leave there shortly to attend an exposition at Hanoi, French China. After that he will go to Yokohama, and it is said that he will sail in May for Europe on

special mission. While no detailed information on the whiert is yet obtainable, the understanding is that Admiral Evans will go to German in the Kentucky, and may be accompanied by other vessels of his fleet, which include the battleships Wisconsin and Oregon. The purpose of the proposed visit is not disclosed, but the friendship existing between Emperor William and Admiral Evans makes it particularly appropriate that he should be the representative of the United States on a visit to Germany at a time when there is a strong anti-German feeling in this country.

# CARROLL OUT OF THE WIGWAM Croker's Former Deputy Leader Resign

John F. Carroll resigned vesterday one of the Sachems of the Tammany So ciety. His withdrawal was made in etter to Supreme Court Justice O'Gorman,

Grand Sachem of the society. A short time ago Mr. Carroll resigned th leadership of the Twenty-ninth Assembly district and Joseph Mulqueen was chosen from among his supporters to succeed him. It is already known that Thomas E. Rush and the Osceola Club Democrats will op-pose Mr. Mulqueen's redlection at the next primaries.

Mr. Carroll's term as Sachem was so o expire. The election of the new board of Sachems will take place on the third Monday in April. A nominating committee was appointed by Grand Sachem O'Gorman a couple of weeks ago. It was stated at the Wigwam that the plan was to

Mr. Carroll's friends say that he understood that some factional divisions in Tammany meant to oppose his election, and as he did not want the office and was not disposed to fight for an empty honor, I found the easiest way out in resigning. The report that ex-Mayor Robert Va Wyck was to follow Mr. Carroll's examp

#### PREPARING AUTO SPEEDWAY. Many Tracts of Land Bought on Long Island. Probably for Fast Road.

The purchase of large tracts of land running parallel with the Long Island Railroad and the macadamized roads in Queens and Nassau counties indicates that mobile speedway is assuming definite shape. The recent purchases have been made in different names and the prices range from \$800 to \$1,000 an acre. said that the outlay to date for land amounts

o more than \$1,000,000. Thus far the different purchases have

Thus far the different purchases have been so arranged that the projected speedway will swerve in and out and take in the many aristocratic colonies in Nassau county. It is said that there will be no grade crossings.

According to further reports the building of an auto track about three and a half miles long in conjunction with the race track planned for Queens is a part of the general project. general project.
Engineers have been surveying the newly acquired land and it is said that work will probably begin on the speedway as soon as the weather becomes settled.

# MURDERER BIRD HANGED

Ainekan Frindnat Falls. SEATTLE, Wash., March 10. A despatch from Sitks, Alaska, anys that Homer Bird who murdered two companions on the Yu-kon fliver, was hanged on Friday Pardon for hird had been sought from President McKinley and President Reservelt on several occasions by Mrs Bird and he in gister, Bernie, whose unremitting effort, or obtain executive elemency attracted wide attention. Even to the institute wife and laughter had beged some fortunate occurrence might prevent the execution of

Hirri made a short space is from the goal hove, in which he declared his introduction though he chowed little expectant and spool quietly. He maked from the jail to the confield national assistance and according the single firmity.

# SAMPADS'S BOY A MIDDY

a fair fair Bear Admiral Appointed Annaposae. Md., Marcis to The folios ng young men presentary received ap-

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Hage therefores, it course of fourtrainder house decembers; this W Hamped, not of Major facy Housel, and it the Philippines, and a grandoot of Gen. G. O. Howard, has received an appointment from to engreenment.

# AGEDJ. H. HERRICK BADLY HURT From Pekin.

FELL AT THE UNION LEAGUE CLUB-SAID TO BE DYING.

nd on the Second Floor, Having Faller From the Mezzanine Ploor-Relative Are Hastily Summoned to the Clubhouse-He Is Seventy Years Old.

J. Hobart Herrick, former president of the Produce Exchange, was badly hurt in the Union League Club late last night by falling down the stairway from the mezza nine floor to the second floor, about twent feet. Early this morning it was thought that he could not live.

Mr. Herrick's family physician had been called and one of his daughters and Mr. McKesson of McKesson & Robbins, a relative by marriage, were with him.

Mr. Herrick had just stepped out of the chess room when the accident occurred. There had been a dinner at the club in honor of Dr. A. L. Ranney, who had much to do with taking charge of a billiard and pool tournament among the club members. In appreciation of his efforts J. Seaver Page, on behalf of the club members, presented to Dr. Ranney a loving cup.

A dinner before the presentation was attended by between 175 and 200 members The dinner was not long over when the accident occurred to Mr. Herrick. It is not known positively whether he fell over the balustrade or down the stairs. He was picked up by several members and carried to a room on the second floor.

Jacob Hobart Herrick was born in Pear street in this city, Aug. 26, 1833, and became a leading merchant in the grain business as his father, Jacob B. Herrick, had been before him. He was a graduate of New York University. In 1884 he became president of the Produce Exchange.

Mr. Herrick's ancestor who brought the family name to this country was Henry
Herrick, son of Sir William Herrick. In
1859 Mr. Herrick married Maria Amelia
McKesson, daughter of John McKesson.
They have five children, Caroline McKesson, Henry Hobart, Florence, Iaabel May
and Ethel Hull Herrick. Florence Herrick
is now Mrs. Clarence H. Wildes, and Isabel
May is the wife of H. Montague Vickers.

#### BIFF ELLISON MELD THE FORT Threatened to Shoot Police Captain if His Club Was Invaded-It Wasn't.

"If any man breaks in that door I'll shoo im," said J. Frank Ellison yesterday afternoon, opening the door of the "Comisky Club," at 231 East Fourteenth street.

little, but keeping the chain up. Police Captain Gallagher and half a dozen detectives had been pounding on the door They say the place is a poolroom. They had no warrants. They camped in th hailway for three hours and shoved all comers away, but they got no prisoners and they didn't get in.

Ellison is known as "Biff" Ellison. He s not the famous "Biff." "The cops are sore on me," he said later, because I'm one of the men who whipped Detective Sergeant Murphy in Wulfert's caloon in Fourteenth street about a year

ago. They have been pounding me since Inspector Billy McLaughlin handed me one on the jaw the other day, at the same time saying, 'You're the guy who does up cops.'
Then he arrested me for assaulting him. I was discharged by Magistrate Deuel in the Yorkville court

### PARIS "CLUB OF SILENCE." All Members and Servants Deaf Mutes

Special Cable Despatch to THE SUN Paris, March 10.-The latest of the nany strange Parisian clubs, the existence of which comes to public notice from time to time, has been discovered by the Gaulois

It is called the "Club of Silence." It is an association of deaf mutes, and al the servants are likewise deaf and dumb The latter are summoned by a special ap paratus, which, when a button is pressed, instead of ringing a bell, communicates a slight electric shock to the individual ser vant. The clubrooms are similar to those

of a Carthusian monastery. The president is a veteran, who fought against the Indians in North America, and, being captured, had his tongue cut out How he became deaf is not stated

#### EDWIN B. SHELDON OPERATED ON The Banker is Iti at Savannah Dr. Bull

With Him Yesterday. SAVANNAH, Ga., March 10.-Edwin Sheldon, the New York banker, underwent a successful operation for bladder trouble at St. Joseph's Hospital to-day. He was on the operating table for an hour and a half, during which time chloroform was administered. The operation was per-formed by Dr. William T. Bull of New York, assisted by Dr. W. G. Stanton of Newport and Dr. William B. Crawford of Savannah Dr. Bull arrived from the North this morr ing, and returned immediately after the

operation shock, and his condition is as encouraging as can be expected "He will not, however, be out of danger for at least ten days, and arran coments have been made to send for Dr. Bull immediately if there is a change for the worse. If the patient continues to improve he will be taken to New York for further treatment by Dr. Bull next week. Bestdes his wife and Dr. Denton, who is his friend and guest. Mr. Sheiden is attended by his count. Mrs. Guetave Schwab.

#### MRS. WEAVER LOSES HER CASE. Appellate Minister Mass the Borbester

Maman Simi to to dali for Forgery. BOCHESTER. March 10. The Appellate Division this afternoon filed a specialon to the case of Mrs Alice M Wayser, the Mochester society woman convicted of forgery. The decision of the lower court

the measure of Assessabilities Martin David and her mother Harries Welle, to a promisgated \$17,000 flor attorney trill appear the open to the Court of Aprimule to the president or for to serve test manufacts to the president of the state of th

American's Statement of Squality

### BATTLE WITH CHINESE BOXERS. Large Force of Rebels Routed 100

Special Cable Despatch to TER SUN: PEKIN, March 10 .- Vicercy Yuan Shih Kai recently sent troops to investigate the reports that Boxers were congregating a hundred miles east [southeast?] of the capital. The troops found a strong and well-armed party of Boxers, who were routed. Several of them were killed or captured. Several of the troops were

also lost. Yuan Shih Kai has ordered that the prisoners be beheaded. He has issued proclamation decreeing death to all Boxers and their abettors

#### LEGISLATURE NAMES THE BABY Texas Lawmaker is the Father of 21 and

Assembly Passes a Resoluti AUSTIN, Tex., March 10 .- President Roose velt's rape-suicide theory does not apply to Representative J. C. Roberts of county, who to-day received a telegram announcing the birth of his ninth son and twenty-first child. Fourteen of his children

are living.

The House of Representatives adopted a resolution demanding that the new arrival be named Pat Neff Roberts, in honor of Speaker Pat Neff of the House. Mr. Roberts has been twice married. His first wife had ten children, including two sets of twins. The boy who has just arrived is the eleventh child by his second wife.

#### DYING ORDER TO HIS SON-KILL. 10-Year-Old Boy Swears to Murder His Father's Slayer.

KNOXVILLE, Tenn., March 10.-Garrett Hedden, the noted moonshiner, was shot to-night by his brother, Riley. He died an hour afterward in his cabin in the moun-

boy and those words were "Don't forget, boy, you must kill your Uncle Riley."

The boy was at home when his father wa dragged into the house dying. Ignoring everybody else the wounded mo alled his boy, made him place his right hand on his father's revolver and then swear to kill the man who had shot him The boy took the oath to avenge his father and the family feud will be prolonged.

#### W. L. STOWE FINED \$40. Pleads Guilty to Speeding Auto Faste

HEMPSTRAD, L. I., March 10 .- W. Stowe, the well-known society leader and member of the Meadow Brook Hunt Club, who lives near Westbury, pleaded guilty yesterday before Justice Foster Oakley of speeding his automobile an eighth of a mile in 13% seconds, or at a rate of than thirty-two miles an hour.

#### He was fined \$40. VESUVIUS ACTIVE. Eruption of Explosives Makes a Great

Special Catte Despain to THE SUN.

NATURE, March 10.—Mount Vesuvius is in eruption and is emitting incandescent manes, which explode and make a magnifi-

MUST SHINE NEGROES SHOES. Appellate Division Decides a Color Case

Against an Italian. ROCHESTER, March 10 .- The Appellate Division of the Supreme Court to-day deshine the shoes of George W. Burk, a negro porter in one of the Rochester banks, besides paying a fine of \$100 for the refusal to give the shine.

Bosso has a stand in the Powers Building Bosso has a stand in the Powers Building.
Accompanied by some friends, Burk stopped
at Bosso's stand and tried to get the bootblack to give him a shine. The latter refused, saying he could earn his money in
a better way. Burk won in the Municipal
but lost in the County Court, but has now
won again. Two of the Justices in dissent
declared that Bosso is not compelled under
the law to serve a negro. The dissenters
are Justices Nash and McLennan. Justices
Adams, Pardon C. Williams and Spring deeide in the negro's favor.

# ide in the negro's favor. LICENSES FOR AUTO DRIVERS

mbers to Re Displayed on Public Care -Alderman Boull's Plan. Alderman Doull offered a resolution yesterday's meeting of the board for the regulation of the running of automobiles in the public streets. The proposed ordinance provides that no one he allowed to operate nination and been licensed by an examin amination and been licensed by an examining board and that automobiles operated
for hire have displayed upon the rear of the
ear the license number of the operator in
white figures at least three inches high.
The license fee is to be \$2, and the penalty
for violating the ordinance is \$100.

The matter was referred to the Committee
on Laws and Legislation with instructions
to hold a public hearing.

# PUNERAL OF MURDERER PERRY. Negro Clergyman Hints That Storten Singer Was billed in Jali.

Boston, March 10. The Rev. Thomas Richland, a colored clergyman, who offici-ated at the funeral of George L. O. Perry, the self-confessed murderer, this afternoon had prepared a statement concerning Perry, which he intended to read at the services, but at the last moment changes his mind and gave it to the newspapers in this statement the clergyman gave his views on Perry's death, in which he cast a cuspicion on the treatment which Perry received is the juil hospital at fast Cambridge and called for an investigation to determine whather or not Perry's death was due to mintrel cause.

# TELEGRAPH WAR IN BALTIMORE

Statesmens. Md . March 10 Open ton

graph Campany and the Postal Triegraph Contigues in the sellente of the forester con-ductioned by the sellente of the forester con-panty threshop attentions. Ware conting that to get the sellente of the forester con-panty threshop attentions. Ware conting the transport of the forest continuity where the sellente of the French continuity where the sellente of the sellent of the water tripped of Pantal when they to the water that the sellente of the sellent of the water

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# ARTHUR R. PENNELL KILLED

CORESPONDENT IN THE BURDICK CASE DASHED TO DEATH.

PRICE TWO CENTS.

e His Automobile Into a Limestone Quarry-His Wife With Him-He Is Killed Outright and She Will Die of Her Injuries Death Probably Due to an Accident-The Wind Blew Off His Hat-He Reached for It and Lost Control of His Machine.

BUFFALO, March 10 .- Arthur R. Pennell. corespondent in the divorce suit brought by Edwin L. Burdick against Mrs. Burdick, and the first person to be sought by the police on the discovery of Burdick's murdered body, was killed early this evening. His wife, who sat beside him in his automobile as he dashed into an old stone quarry in the Kensington district, is unconscious and dying at the hospital of the sisters of charity.

Two boys who saw the tragedy say that Pennell was driving his machine at a fairly rapid rate when his hat blew off and the automobile swerved and disappeared with its burden into the bowl of limestone a few feet from the road. Unless Mrs. Pennell recovers enough to tell her story, no one may ever learn Pennell's last words and impulses, or ever know whether the machine or its driver was responsible for the plunge.

Pennell left his law office in the Austin Building at 4.05 o'clock this afternoon and went to his home at 208 Cleveland avenue. At 4.45 o'clock a reporter called up the house on the telephone and reminded Pennell that the lawyer had expected to give out a statement about this time of his connection with the Burdick case, his conversations with Mr. Burdick and his talks with Mrs. Burdick.

"I am just going out with Mrs. Pennell," was Pennell's reply. "Can't you let that

"Not very well," said the reporter. "We consider it important." "Well," said Pennell, "come out between

6:30 and 7 o'clock."

Lizzie Romance, and said to her: "We will be back between 6:30 and 7 'clock." Pennell's automobile was waiting and he and his wife went away in it. The

Pennell then turned to the servant

afternoon was anything but suited for an automobile ride. The skies were leaden, rain was falling heavily and the streets were wet and slippery. The rain kept on and was falling faster when Pennell was next seen, and for the last time, alive. Two boys, George Dunbar and William annon, who live on Florida street, were going home from work at a quarter before o. Their way led them through Ken-

sington avenue, a broad, well-paved high-

way that leads from the Central Park dis-

trict into the suburbs northeast of Buffalo. As they were about 1,000 feet east of Filmore avenue they saw Pennell and his wife in their automobile At this point Kensington avenue runs which is about twenty feet deep, the si having an almost perpendicular declivity Pennell's hat blew off, the automobile swerved to the right and in an instant

had crossed the curbstone, run over th five feet of ground between the curb and the quarry and disappeared. A workingman, Charles Lamont, also saw all this, but from a greater distance. and it was he who ran to the nearest drugstore and notified the Cold Spring pol station. When the officers came they found the machine on end at the bottom of the quarry. Pennell was dead underneath it, his head smashed beyond recognition.

Mrs. Pennell lay beside him, underneath the machine. She had been crushed by the fall to the rocks and was senseless and moaning. A few minutes later the ambulance of the Sisters' Hospital arrived and Mrs. Pennell was carried from

the quarry by the surgeons and police and taken to the hospital, a mile away. While all this was going on the police were unaware that the dead man beneath the machine was one whose name had been discussed more steadily than that of any other man in the Burdick mystery. Not until the initials "A. R. P." were seen on the automobile did the suspicion arise Even when the card of Arthur R. Pennel was found in one of the pockets the police were not sure of the identity, and Capt George Cable and his detectives were notified. They went at once to the Pennell home. The reporters were there waiting

have given them. Capt. Cable took Lizzie Romanos to the Sisters' Hospital, where she identified the Mrs. Pennell and later saw the woman and made the identity certain. Dr. Eugene Smith already had operated on Mrs. Pennell. He found that she had concussion of the brain, a fracture of the externa table of the skull, a wound extending from the eye to the base of the train and

"Mrs. Pennett's condition is very serious,"
said Mr. Smith. "She cutted speak at all.
She only means. It is utterly impossible to say whether size will successor. Pennell was not an invaporion and chart

four to open mention he was seen froand in the parks. He for as can be icurain her harder had any acceptant the good his wife had richard important among times "The cardy timing attachment about their going out to night," and the suntd, "man that amountly have forested took one than herer at which they would return for citature. But

satsker Cape Sightle was toying to night to team the soute taken by the Petacike. All he had beened at midnight was that Semant had stopped at a right stare in Main states and testight a stiger, leaving him Property

to day it was hir Fernell who gave the

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